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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

**LAWRENCE JAMES SACCATO,**

Plaintiff Pro Se,

Case No. 6:10-cv-06244-HO

v.

**DAVIS LAW FIRM,**

DEFENDANT U.S. BANK'S  
MOTION TO SEAL

Defendant,

**U.S. BANK NATIONAL ASSOCIATION**

**N.D.,** Co-Defendant.

**DOES 1 THROUGH 10.**

Defendant U.S. Bank National Association N.D. ("U.S. Bank") hereby moves to seal to documents, Docket Nos. 50 and 53 which were inadvertently filed without redacting account numbers of two long-closed credit card accounts as required Fed. R. Civ. P. 5.2(d). Pursuant to LR 7-1, the undersigned certifies that plaintiff agrees to this motion.

The documents at issue are Defendants Memorandum in Support of its Motion for Summary Judgment (Dkt. 50) and Exhibit B to the Declaration of Stephanie Buckley (Dkt. 53). Defendant's Motion for Summary Judgment at page nine referenced one account which plaintiff

had also identified in an exhibit attached to his complaint. Exhibit B to Ms. Buckley's declaration identified several account numbers which Defendant did redact. However, at page 14 of Exhibit B there is an obscured reference to an account number that, though difficult to read, is perceptible. Both account numbers relate to a credit card account that has long since been closed and is inactive. Defendant has prepared redacted versions of both documents which comply with Rule 5.2(a) and which will be filed this date.

Defendant apologizes for the error and respectfully requests the court grant this motion.

Dated: November 21, 2011.

LARKINS VACURA LLP

/s/ Christopher J. Kayser

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Christopher J. Kayser OSB #984244

Joseph D. Mueller, OSB #111780

Attorneys for U.S. Bank National Association

### **CERTIFICATE OF SERVICE**

I am over the age of 18 and am not a party to the within action. I am employed in Multnomah County, State of Oregon, and my business address is 621 SW Morrison St., Suite 1450, Portland, Oregon 97205.

On November 21, 2011, I served the following document(s):

#### **DEFENDANT U.S. BANK'S MOTION TO SEAL**

on the party or parties listed on the following page(s) in the following manner(s):

☐ **BY HAND DELIVERY:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be delivered by messenger to the street address(es) indicated on the attached service list.

☐ **BY FEDERAL EXPRESS:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be delivered by Federal Express to the street address(es) indicated on the attached service list.

☒ **BY FIRST-CLASS MAIL:** For each party, I caused a copy of the document(s) to be placed in a sealed envelope and caused such envelope to be deposited in the United States mail at Portland, Oregon, with first-class postage thereon fully prepaid and addressed to the street address(es) indicated on the attached service list.

☐ **BY FACSIMILE:** For each party, I caused a copy of the document(s) to be sent by facsimile to the facsimile number(s) indicated on the attached service list. If this action is pending in Oregon state court, then printed confirmation of receipt of the facsimile generated by the transmitting machine is attached hereto.

☐ **BY E-MAIL:** For each party, I caused a copy of the document(s) to be sent by electronic mail to the e-mail address(es) indicated on the attached service list. If this action is pending in Oregon state court, then I received confirmation that the e-mail was received.

☐ **BY ECF:** For each party, I caused a copy of the document(s) to be sent by electronic mail via ECF to the e-mail address(es) indicated on the attached service list.

I declare under penalty of perjury under the laws of the State of Oregon that the foregoing is true and correct.

/s/Christopher J. Kayser

Christopher J. Kayser

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